

**From:** Bressan, Francesca [<mailto:Bressan@herder.de>]  
**Sent:** Tuesday, January 07, 2014 4:22 AM  
**To:** Conor Gallagher  
**Cc:** CustomerService Mailbox  
**Subject:** Ludwig Ott, Fundamentals of Catholic Dogma  
**Importance:** High

Dear Madam / Sir,

My name is Francesca Bressan International Rights Manager at Verlag Herder.

We are now updating our records and I have found out that I have no documentation concerning a licensing agreement between Herder and TAN. I cannot find any statements or other documentation about any kind of relation with your publishing house.

I would kindly ask you to provide me with documentation regarding this matter, since we Herder Verlag are the rights holder of the above mentioned work.

Thank you very much in advance for your kind collaboration.

Best regards

Francesca Bressan

Francesca Bressan  
Lizenzen / Rights & Permissions

Verlag Herder GmbH  
Hermann-Herder-Straße 4  
79104 Freiburg

Tel.: +49 (0) 761 / 2717 - 546  
Fax: +49 (0) 761 / 2717 - 540  
E-Mail: [bressan@herder.de](mailto:bressan@herder.de)  
[www.herder.de/rights](http://www.herder.de/rights)

Verlag Herder GmbH, Hermann-Herder-Straße 4, 79104 Freiburg  
Verkehrsnr. 12801 · USt-IdNr.: DE 811253212 · Registergericht Freiburg HRB 203  
Geschäftsführer: Manuel Herder, Roland Grimmelmann

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**Von:** Rick Rotondi [<mailto:rick@tanbooks.com>]  
**Gesendet:** Dienstag, 7. Januar 2014 18:06  
**An:** Bressan, Francesca  
**Betreff:** RE: Ludwig Ott, Fundamentals of Catholic Dogma

Dear Francesca,

Your email comes as a great relief. We also have been reviewing the complex publication history of this title, furthered by our own acquisition of TAN Books five years ago. We have been trying to negotiate a license with Baronius Press who has claimed to be the sole licensee and to have the authority to act on behalf of the rights holder. If this is inaccurate, it would not be the first time we received misleading information from them.

TAN Books has published *Fundamentals of Catholic Dogma* continuously since 1974. We are the successor-in-interest to the publishing agreement for this title between Mercier Press and B. Herder of St. Louis, whose

assets TAN acquired in the early 1970s. We are also a reliance party for this title, meaning our publication of *Fundamentals of Catholic Dogma* precedes the copyright restoration under URAA in 1996.

In 2013 we were contacted by Baronius Press on behalf of Nova et Vetera. Baronius informed us that Nova et Vetera is the holder of the restored rights, and demanded that we cease publication and erroneously demanded back damages, along with other threats. We responded that TAN, as successor-in-interest to B Herder and as a reliance party, is entitled to a license and we proposed terms for same.

We are happy to learn that Verlag Herder is actually the rights holder. Could we have a telephone conference to discuss these issues?

Very truly yours,

Rick Rotondi  
VP of New Business Development  
Saint Benedict Press & TAN Books  
13315 Carowinds Blvd  
Suite Q  
Charlotte, NC 28273

Tel # (704) 884-3375  
Fax# (815) 226-7770

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**From:** Bressan, Francesca [<mailto:Bressan@herder.de>]  
**Sent:** Wednesday, January 08, 2014 4:44 AM  
**To:** Rick Rotondi  
**Subject:** AW: Ludwig Ott, Fundamentals of Catholic Dogma

Dear Rick,

Thank you so much for your swift answer!

I have no information about this.. I just have a copy of the agreement between Mercier Press and Verlag Herder Freiburg. Unfortunately no copy of the agreement between B. Herder and Mercier.

So have no idea of the terms, all I can see is that no royalties have been paid for many years.

Concerning a telephone conference: that would be a great idea. When is the best time for you? I'm usually in my office just until 1pm (European time) which means very early morning for you. Just Fridays I am longer in my office. Shall we try this Friday?

Looking forward to hearing from you soon

All the best  
Fran

Francesca Bressan  
Lizenzen / Rights & Permissions  
Verlag Herder GmbH

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**Von:** Rick Rotondi [<mailto:rick@tanbooks.com>]  
**Gesendet:** Mittwoch, 8. Januar 2014 14:32  
**An:** Bressan, Francesca  
**Cc:** Conor Gallagher  
**Betreff:** RE: Ludwig Ott, Fundamentals of Catholic Dogma

Thank you Fran. A call Friday would be excellent. Does 9 am our time (I believe 3 pm Freiburg time) work for you? If so I will be happy to call you at +49 (0) 761 / 2717 - 546

Best,

Rick

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**From:** Bressan, Francesca [<mailto:Bressan@herder.de>]  
**Sent:** Thursday, January 09, 2014 2:15 AM  
**To:** Rick Rotondi  
**Subject:** AW: Ludwig Ott, Fundamentals of Catholic Dogma

This would be perfect to me!

Would you be so kind and send me a copy of the contract between Mercier and B.Herder and any paperwork showing you are the successor in interest.

All the best  
Fran

Francesca Bressan  
Lizenzen / Rights & Permissions  
Verlag Herder GmbH

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**Von:** Rick Rotondi [<mailto:rick@tanbooks.com>]  
**Gesendet:** Donnerstag, 9. Januar 2014 14:39  
**An:** Bressan, Francesca  
**Cc:** Conor Gallagher  
**Betreff:** RE: Ludwig Ott, Fundamentals of Catholic Dogma

Fran I look forward to speaking tomorrow. In the meantime I am happy to attach correspondence between Thomas Nelson, founder of TAN, and Mercier Press acknowledging TAN's succession to the B Herder co-publication rights.

Thanks again Fran.

Best,

Rick Rotondi

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**Von:** Rick Rotondi [<mailto:rick@tanbooks.com>]  
**Gesendet:** Freitag, 10. Januar 2014 15:07  
**An:** Bressan, Francesca  
**Betreff:** Ludwig Ott, Fundamentals of Catholic Dogma

Fran we are having trouble calling on your line. Is it possible for you to phone Conor Gallagher and I at (704) 884-3375?

Best,

Rick Rotondi

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**From:** Bressan, Francesca [<mailto:Bressan@herder.de>]  
**Sent:** Friday, January 10, 2014 10:56 AM  
**To:** Rick Rotondi  
**Subject:** AW: Ludwig Ott, Fundamentals of Catholic Dogma

Dear Rick and Conor

Thank you very much for the nice talk. I spoke with my CEO about this and we need all sale statements and print runs figures from 1973.

I hope this won't be too much work for you!

Have a nice weekend

Fran

Francesca Bressan  
Lizenzen / Rights & Permissions  
Verlag Herder GmbH

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**Von:** Rick Rotondi [<mailto:rick@tanbooks.com>]  
**Gesendet:** Dienstag, 14. Januar 2014 02:40  
**An:** Bressan, Francesca  
**Cc:** Conor Gallagher  
**Betreff:** RE: Ludwig Ott, Fundamentals of Catholic Dogma

Francesca you are very welcome for the reports. I'm sorry I cannot go back any further. We simply don't have the information, as we acquired TAN from bankruptcy in 2008.

I can tell you that TAN has continually published *Fundamentals of Catholic Dogma* since 1974. I have shared with you our Herder agreement. And we have discussed TAN's special status as a reliance party under the URAA. This should be sufficient for us to put into effect a license with royalties payable on all sales going forward. As we discussed, I am happy to attach our proposed license here, which pays a 10% royalty going forward for rights to publish the Lynch translation, and a \$5000 advance against royalties. I thank you in advance for sharing this with Nova et Vetera.

Best,

Rick

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**Von:** Rick Rotondi [rick@tanbooks.com]  
**Gesendet:** Montag, 20. Januar 2014 21:54  
**An:** Bressan, Francesca  
**Cc:** Conor Gallagher  
**Betreff:**

Fran, I hope you are well. Thank you again for your assistance regarding TAN's publication rights to *Fundamentals of Catholic Dogma*.

As we have not yet heard from Nova et Vetera, I wanted to let you know that TAN is going to return to press on a 3,000 unit printing. This printing will be a reproduction of the edition TAN published when *Fundamentals of Catholic Dogma* was in the public domain.

Our new printing will contain the copyright page attached. The copyright page sets forth the grounds on which we are entitled to reprint. We acknowledge that for this printing, the restored copyright owner is entitled to reasonable compensation and we are happy to continue discussions regarding same. In the absence of a license agreement, we will send you twice annual sales statements reporting unit sales and revenues from this printing.

Thanks again Fran for all your assistance to date.

Very truly yours,

Rick Rotondi  
VP of New Business Development  
Saint Benedict Press & TAN Books  
13315 Carowinds Blvd  
Suite Q  
Charlotte, NC 28273

Tel # (704) 884-3375  
Fax# (815) 226-7770

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TAN BOOKS

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7. This Agreement constitutes the only and entire legally binding agreement between the Licensor and the Licensee with respect to the Work herein identified.
8. This Agreement shall be binding upon the successors of the Licensee and the successors of the Licensor. In witness whereof both parties set their signatures under this Agreement:

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Conor Gallagher, VP of Publishing  
Saint Benedict Press

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Date

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Witness

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Nova et Vetera

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Date

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Witness

Nihil Obstat:                   Jeremiah J. O'Sullivan, D.D.  
   Censor Deputatus  
Imprimatur:                    † Cornelius  
   Ep. Corgagiensis et Ap. Adm. Rossrensis  
   7 October, 1954

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<u>Fundamentals of Catholic Dogma:</u>		Units Sold and Sales Revenue														
Year		2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	Total
Units Sold	1846	1800	2308	1662	1498	2404	1812	1541	1589	1000	254	0	0	0	0	17995
Sales Revenue	\$20,359.29	\$22,731.86	\$33,608.84	\$23,699.82	\$21,765.53	\$33,244.35	\$23,347.19	\$21,051.87	\$3,841.00	\$12,760.52	\$22,411.15	\$3,855.25	\$0.00	\$0.00	\$0.00	\$242,676.67